

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING

FILED
U.S. DISTRICT COURT
DISTRICT OF WYOMING
2021 SEP -7 AM 11:04
MARGARET BOTKINS, CLERK
CASPER

Clayton Wade Leveke,	
Plaintiff,	
vs.	
HELENA INDUSTRIAL	
INCORPORATED, et al.	
Defendants.	

21 cv 162- NDF

PLAINTIFF'S AMENDED COMPLAINT

I am attempting to use the law that was passed over two decades ago that is neglected by your citizens. The law that I am familiar with is known as the Family Medical Leave Act. This law is supposed to protect an employee when they are sick or injured.

My injury happened to occur on the jobsite. I was working in an extremely hazardous environment. The Defendants abused the Cares Act by threatening me with termination. I told Joe Watts I was tested for COVID-19 he told me I may be terminated during a specialty herbicides department meeting.

The Defendant's busy season starts in October depending on demand. The safety department encouraged me to physically assault other employees at work. There are five desks inside the Defendant's safety department.

The safety department would encourage employees to smoke illicit substances, fight and demean each other on a daily basis. I resigned after having a meeting with the plant manager Troy and Tonya. I worked when work was available to me. Troy told me I had a decision to make whether or not I wanted to work for the Defendant.

I have been dealing with severe depression for a few years now. In 2018 I was denied treatment and terminated by TerumoBCT INC. I was diagnosed by a psychologist with separation anxiety at that time. I lost my job and received no unemployment benefits. I was harassed by security guards at local clinics. TerumoBCT INC and the Lakewood Police Department had me charged with criminal trespassing for standing on the sidewalk after I threatened to sue them. I was sexually harassed several times as an operator for this company, it got worse after my promotion.

The defendant claims my back injury was a strain. When an employee is critically injured on the job; AI logs it as a strain. A back strain doesn't take months to recover. I was treated with medical care by Chiropractic Doctors, a Physical Therapist, an Emergency Room Nurse, a General Practitioner. A physician's assistant (PA Laurie Claire)told me I was living in an unhealthy environment and refused to release me for work. I was denied treatment by Caremore because I coughed into my phone.

I was able to walk within a week. I went to work with a sore back. I had a conversation with one of my coworkers after I returned from my injury about my brother. I have a strong feeling Justin Devers asked that coworker to ask me that question. I spoke to the coworker and thought the situation was resolved. I think the coworkers in my department told Tanya Earlywine I was making them uncomfortable because I am a better employee.

The defendant's demands for my medical treatment were unable to be met by scheduling conflicts created by clerical staff. I was threatened by a click of armed security guards in the Broadlawns Medical Campus. They inferred I should leave now and not to return without an appointment; After PA Laurie Claire refused to release me for work.

The Defendants refused to provide my body and mind with time to heal and do not treat employees as people. I can be appeased with financial compensation.

See original complaint for
reference to federal law subsections
included.

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